

*Quinine sulfate tablets.* Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which the article was intended.

The information alleged also that certain vitamin preparations were adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 20793.

DISPOSITION: December 18, 1953. The corporation having entered a plea of guilty to the 5 counts of the information and the individual having entered a plea of guilty to the count in the information relating to the *quinine sulfate tablets*, the court imposed a fine of \$500 against each defendant.

#### DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

4266. Adulteration of dextro-amphetamine sulfate tablets. U. S. v. Ross-Whitney Corp. (Heart Pharmaceutical Co. of California), Louis M. Mills, and Robert C. Whitney. Pleas of nolo contendere. Fine of \$200 against corporation and \$100 against each individual. (F. D. C. No. 33774. Sample No. 26646-L.)

INFORMATION FILED: June 2, 1953, Southern District of California, against the Ross-Whitney Corp., trading as the Heart Pharmaceutical Co. of California, Los Angeles, Calif., Louis M. Mills, president, and Robert C. Whitney, secretary-treasurer of the corporation.

ALLEGED SHIPMENT: On or about November 1, 1951, from the State of California into the State of Pennsylvania.

LABEL, IN PART: (Bottle) "1000 Tablets Heart Brand Dexedrine (Dextro-Amphetamine Sulfate) 5 mg."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess since each tablet was represented to contain 5 milligrams of dextro-amphetamine sulfate, whereas each tablet contained less than 5 milligrams of dextro-amphetamine sulfate.

DISPOSITION: January 25, 1954. The defendants having entered pleas of nolo contendere, the court fined the corporation \$200 and each individual \$100.

4267. Adulteration and misbranding of ear drops and misbranding of Vita-Malt, nose drops, aluminum hydroxide gel, pyrilamine maleate liquid, and pyrilamine maleate tablets. U. S. v. Kimball Drug Co. (Kimball Wholesale Drug Co.), and Horace W. Kimball. Pleas of nolo contendere. Fine of \$200 against individual; imposition of sentence against corporation suspended. (F. D. C. No. 33750. Sample Nos. 18271-L to 18277-L, incl.)

INFORMATION FILED: June 10, 1953, District of Arizona, against the Kimball Drug Co., a corporation trading as the Kimball Wholesale Drug Co., Phoenix, Ariz., and Horace W. Kimball, president of the corporation.

ALLEGED VIOLATION: On or about May 7, 1951, the defendants received in interstate commerce, at Phoenix, Ariz., a number of bottles of *Vita-Malt* which was misbranded; and, on or about May 8, 1951, the defendants caused a number of the bottles of *Vita-Malt* to be delivered for pay to the Maricopa County Hospital, at Phoenix, Ariz., in purported fulfillment of a purchase order issued by Maricopa County through its board of supervisors.

In addition, between May 7 and June 13, 1951, while various quantities of *nose drops, ear drops, aluminum hydroxide gel, pyrilamine maleate liquid*, and